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8 **IN THE UNITED STATES DISTRICT COURT**
9 **FOR THE EASTERN DISTRICT OF CALIFORNIA**
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11 KENNETH DEAN DAWSON,

2:04-cv-0745-GEB-CMK-P

12 Plaintiff,

13 vs.

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS

14 THOM KERRY, et al.,

15 Defendants.
16 _____/

17 Plaintiff, a state prisoner proceeding pro se and in
18 forma pauperis, brings this civil rights action pursuant to 42
19 U.S.C. § 1983. The matter was referred to a United States
20 Magistrate Judge pursuant to Local Rule 72-302(c) (21).

21 On February 16, 2005, the magistrate judge filed
22 findings and recommendations herein which were served on
23 plaintiff and which contained notice to plaintiff that any
24 objections to the findings and recommendations were to be filed
25 within twenty days. Plaintiff has not filed objections to the
26 findings and recommendations.

1 The court has reviewed the file and finds the findings
2 and recommendations to be supported by the record and by the
3 magistrate judge's analysis.

4 Accordingly, IT IS HEREBY ORDERED that:

5 1. The findings and recommendations filed February
6 16, 2005, are adopted in full;

7 2. This action si dismissed without prejudice; and

8 3. The Clerk of the Court is directed to enter
9 judgment and close this file.

10 Dated: September 28, 2005

11
12 /s/ Garland E. Burrell, Jr.
13 GARLAND E. BURRELL, JR.
 United States District Judge